



STATE OF MICHIGAN

Jennifer M. Granholm
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
ROBERT W. SWANSON
DIRECTOR

Michigan Occupational
Safety & Health Administration
(MIOSHA)

CONSTRUCTION SAFETY STANDARDS COMMISSION MEETING

May 9, 2007—9:30p.m.

State Secondary Complex—General Office Building
2nd Floor, Conference Room G – Lansing, Michigan

MINUTES

COMMISSIONERS PRESENT:

Larry Redfearn
Lynn Coleman
Don Staley

Valerie Bradley
Patrick 'Shorty' Gleason
Gregg Newsom

COMMISSIONERS ABSENT:

Peter Strazdas

STAFF PRESENT:

Marsha Parrott-Boyle	MIOSHA Standards Section Program Manager
Bob Pawlowski	MIOSHA Construction Safety & Health Division Director
Cindy D. Eicher	MIOSHA Standards Section Secretary
John Peck	Management & Technical Services Division Director
Doug Kalinowski	Michigan OSHA Director
Martha Yoder	Michigan OSHA Deputy Director

VISITORS:

Pete Anderson, Associated General Contractors
Dr. Doina Stanislav
Dr. Doina Giurgiu

MISSION STATEMENT

THE MISSION OF THE CONSTRUCTION SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE MICHIGAN CONSTRUCTION COMMUNITY.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

IT IS OUR VISION THAT WE BECOME A NATIONAL LEADER IN SAFETY FOR INDUSTRY BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.

Agenda Item #1--Call to Order and Roll Call

Vice Chairperson Bradley called the May 9, 2007 meeting to order. A roll call was taken and a quorum was present.

Agenda Item #2--Approval of Minutes for February 7, 2007 Meeting

A motion was made by Commissioner Coleman and seconded by Commissioner Newsom to approve the minutes of the February 7, 2007 meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3--Standards Section Update-- Marsha Parrott-Boyle, Program Manager

Ms. Parrott-Boyle reviewed the "MIOSHA Goals for FY 2004-2009" and indicated the Standards Section is striving to reduce the backlog of standards to be revised by 70% in this five-year period. Ms. Parrott-Boyle reviewed the progress of rules undergoing revision in detail. CS Part 26 Steel Erection and CS Part 28 Personnel Hoisting in Steel Erection were completed since the last meeting. Copies will be distributed to commissioners. The Aerial Work Platforms package is moving through the promulgation process.

The Communication Towers Advisory Committee continues to meet. They are close to completing their proposed draft standard. Their last advisory committee meeting had to be canceled due to a lack of quorum. This meeting will be rescheduled as soon as possible after which the proposed standard will be ready for commission review. The commissioners discussed holding a meeting prior to the next scheduled meeting in August in order to review the proposed standard and move it along in the promulgation process.

Ms. Parrott-Boyle advised that Senate Bill 341 proposes to open Act 154 to add requirements for construction sanitation in the state of Michigan. That is business that would best be addressed by this commission in CS Part 1 which is on our standards backlog list under the low priority section. Copies of the bill were provided to commissioners.

The Standards Section is anticipating opening the advisory committee for Masonry Wall Bracing. Applications for this committee will be considered later in the meeting.

At this time Vice Chairperson Bradley turned the meeting over to Chairperson Gleason who had arrived at the meeting.

Agenda Item #4—Old Business

None

Agenda Item #5--New Business

a. Advisory Committee Application –Various Standards - Peter M. Gentles

The commissioners reviewed the application submitted by Peter Gentles for various standards. None of the requested standards are anticipated to be open in the foreseeable future. A **motion** was made by Commissioner Newsom and seconded by Commissioner Coleman to table this application until one or more of the standards referenced are open.

MOTION CARRIED UNANIMOUSLY.

b. Advisory Committee Applications – Masonry Wall Bracing

- i. Daniel S. Zechmeister, Masonry Institute of Michigan - Management
- ii. Peter L. Anderson, Associated General Contractors of MI – Management
- iii. Kyle Lochonic, Davenport Masonry – Management
- iv. Josh Irving, Lynn Masonry –Management (changed from Labor)
- v. Ben Lyons, Laborers International Union Local 499 – Labor
- vi. James E. Budd, Bricklayers & Allied Craftworkers Local 9 – Labor
- vii. Mark King, Bricklayers & Allied Craftworkers, Local 1 - Labor

The applications were reviewed one by one in detail. Discussion was held regarding the number of management and labor applications received. The commissioners discussed the possibility of receiving more applications at a later date. It was requested if any additional applications are received that they be considered at an earlier meeting than August meeting if possible. After further discussion a **motion** was made by Commissioner Newsom and seconded by Commissioner Staley to appoint Daniel Zechmeister, Peter Anderson and Kyle Lochonic as management representatives and to appoint Ben Lyons, James Budd and Mark King as labor representatives. **MOTION CARRIED UNANIMOUSLY.**

A **motion** was made by Commissioner Staley and seconded by Commissioner Bradley to table Josh Irving's application until additional applications for labor representatives are received in order to maintain a close balance in labor and management representation. **MOTION CARRIED UNANIMOUSLY**

A **motion** was made by Commissioner Coleman and seconded by Commissioner Redfearn to table Pete Anderson's application for CS Part 9 until that standard is opened. **MOTION CARRIED UNANIMOUSLY**

The commissioners requested that staff contact the one current member on the Masonry Wall Bracing Advisory Committee to obtain his current employment information and representation status.

Agenda Item #6--Construction Safety & Health Division Update—Bob Pawlowski, Director

Mr. Pawlowski reviewed construction related fatalities for calendar year 2007. There have been 4 programmed related fatalities investigated by Construction Safety & Health Division (CSHD) so far in 2007. By category; 3 falls and 1 struck-by.

Mr. Pawlowski gave the commissioners an update on a recent significant enforcement case. The Attorney General's office filed a complaint against Maco Concrete, Inc. and a pretrial was held on April 19, 2007 at which the company pleaded no-contest. The sentencing is scheduled for May 31, 2007.

The CSHD held its second Asbestos Symposium on April 27, 2007. Close to 200 individuals attending. CSHD recently participated in the Upper Peninsula Construction Safety Conference as well as the Michigan Safety Conference.

The CSHD has posted on the MIOSHA website 18 "Construction Fact Sheets". The latest four posted are Bracing Tall Masonry Walls, Exposure to Hexavalent Chromium, Isocyanates in Construction and Fork Trucks in Construction. The division currently has three more fact sheets being worked on; they will cover column setting, temporary truss bracing and false decking.

The division currently has three partnerships and is working on a fourth with Detroit Edison at the Monroe Power Plant. A listing of alliances was also provided.

Mr. Pawlowski informed the commissioners that CSHD currently has four positions open, two safety supervisors and two field compliance officers. CSHD has received approval to fill one vacant supervisor position and the two field compliance officer positions.

Agenda Item #7--Michigan OSHA Update--Martha Yoder, Deputy Director

Ms. Martha Yoder explained to the commissioners that she arrived at the last meeting just after it was adjourned. She was delayed at the UAW Skilled Trades Conference. Ms. Yoder advised that the current MIOSHA News which was distributed to the commissioner this morning contains an article on MIOSHA's newest partnership. The partnership was signed on January 26, 2007 with The Christman Company.

Ms Yoder advised that due to the state budget problems the department is now operating under 19 different executive orders limiting spending, effecting purchasing supplies, temporary employees, and travel. MIOSHA has received permission for enforcement and consultative staff to travel. MIOSHA also had to submit lengthy justification to continue with the MIOSHA CET grant program. There is also currently a hiring freeze for the state of Michigan. There is an exception for positions dealing directly with the safety of Michigan employees. MIOSHA staff is still motivated and dedicated to serving Michigan and protecting the employees in Michigan despite the budget issues.

MIOSHA continues to work on the initiative of "Connecting MIOSHA to Industry" to insure that all MIOSHA interventions are helpful and useful. In January and February all field staff, supervisors and managers received training on communication skills and persuasiveness. MIOSHA has revised the comment card that is given out when enforcement and consultative staff are out in the field. Approximately 10,000 cards have been handed out and 1,000 cards have been returned. Ms. Yoder reported that 98% of all cards returned have indicated that the encounter with MIOSHA staff has been useful. This year the cards have been revised to include more questions. Commissioners received a copy of the comment card currently being distributed.

Ms. Yoder advised that Ask MIOSHA Live is now up and running on the MIOSHA website. This allows an individual to select a topic and then write a question which upon submission goes directly to the MIOSHA staff person who is assigned to answer questions on that topic. The consistency team has finalized a Frequently Asked Questions page which visitors are encouraged to look through before submitting a question.

The Youth Initiative continues with this years focus being Youths in Construction. June is Youth Employment Month. MIOSHA continues to work with the Wage and Hour Division. Ms. Yoder advised that the third annual Take a Stand Day will be held on August 15, 2007.

The MIOSHA Training Institute plans continue to move along, it is anticipated to begin state wide on October 1, 2007. There will be two tracks, General Industry and Construction Safety. There are 60 seminars lined up starting in October.

Agenda Item #8—Federal OSHA Update - Cynthia Hutchens-Smith, Lansing Area OSHA Office

Ms. Cynthia Hutchens-Smith was unable to attend the meeting.

Agenda Item #9--Next Scheduled Meeting

The next scheduled meeting is May 9, 2007 at the General Office Building in Lansing, Michigan.

Agenda Item #10--Public Comment

Mr. Peter Anderson inquired whether or not compliance letters were still going out. Staff indicated they would check on the compliance letters. Mr. Anderson also inquired if the changes on multi employer worksites that were made on the federal level would affect MIOSHA. Ms. Yoder replied that MIOSHA should not be affected because our act is worded differently.

The commissioners were advised that MIOSHA is working on a teleconferencing policy in order to have guidelines to follow if a commissioner is unable to attend but would still like to participate in the commission meeting.

Agenda Item #11--Adjournment

With no further business before the Commission, the meeting was adjourned

Patrick 'Shorty' Gleason, Chairperson

Date